

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SB 2557 - HB 2891

February 9, 2012

SUMMARY OF BILL: Limits the noneconomic damages an operator without financial responsibility in effect at the time of a motor vehicle accident may recover against a motor vehicle operator with financial responsibility. Prohibits disclosure to a jury that a motor vehicle operator is limited in the recovery of noneconomic damages. Requires the court to reduce any compensatory damages awarded to the operator by the amount awarded for noneconomic damages exceeding the limits. Directs that the limit is not applicable where a tortfeasor with financial responsibility at the time of the accident was under the influence of drugs or alcohol or acted maliciously, intentionally, fraudulently, or recklessly. Prohibits the limitation of noneconomic damages when a person is sued by a passenger of a person without financial responsibility.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumption:

- According to the Administrative Office of the Courts, the liability limits will be applied by the courts, but will not affect the caseloads or the case management of a matter. Therefore, the fiscal impact is not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

/sbh

SB 2557 - HB 2891